

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

*In re Hearst Communications State Right of  
Publicity Statute Cases*

No. 1:21-cv-08895-RA-GWG

**DEFENDANT HEARST COMMUNICATIONS, INC.'S  
NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendant Hearst Communications, Inc. (“Hearst”) respectfully submits this Notice of Supplemental Authority in connection with its pending Motion to Dismiss (ECF Nos. 37-38, 42, 43) to bring to the Court’s attention the recent decision of the United States Court of Appeals for the Seventh Circuit in *Huston v. Hearst Communications, Inc.*, No. 22-1489, attached hereto as Exhibit A. *Huston* was decided today.

In *Huston*, the Court of Appeals affirmed the dismissal of a case brought under the Illinois Right of Publicity Act, asserting claims, like those in this case, based on Hearst’s rental of *Good Housekeeping* and other subscriber mailing lists. *Id.* at 2. Because the *Huston* case addresses practices identical to those at issue alleged in this action, under a state statute containing the same or analogous statutory language to that in the state laws under which claims are asserted here, Hearst believes it is relevant to its arguments on the pending motion to dismiss.

Dated: November 22, 2022

By: /s/ Jonathan R. Donnellan

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above document filed through the ECF system will be sent electronically to counsel of record on November 22, 2022.

/s/ Jonathan R. Donnellan

Jonathan R. Donnellan